

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

ALLEN ALPHONZO ADAMS,

Petitioner

VS.

CARL HUMPHREY,

Respondent

NO. 5:11-CV-179 (MTT)

**ORDER**

*Pro se* petitioner **ALLEN ALPHONZO ADAMS** has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the validity of his 1992 conviction for violations of the Georgia Controlled Substances Act. The instant petition is the fourth habeas action that petitioner has filed challenging this 1992 conviction.<sup>1</sup> The first two petitions were dismissed as untimely. The third petition was dismissed because petitioner had not applied to the Eleventh Circuit Court of Appeals for permission to file a successive habeas petition as required by 28 U.S.C. § 2244(b)(3)(A).

As petitioner has similarly failed to seek permission from the Eleventh Circuit with respect to the instant petition, this Court lacks jurisdiction to consider petitioner's request for relief. It is therefore **ORDERED** that the instant petition be **DISMISSED WITHOUT PREJUDICE** to petitioner's right to file in the Eleventh Circuit a motion for leave to file a

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<sup>1</sup> See **Adams v. Smith**, 5:03-cv-128 (WDO); **Adams v. Walker**, 5:8-cv-123 (CAR); and **Adams v. Chapman**, 5:9-cv-306 (HL).

second or successive habeas petition pursuant to section 2244(b)(3)(A). The Clerk of Court is ordered to furnish petitioner with the application form required by the Eleventh Circuit for leave to file a successive habeas petition.

**SO ORDERED**, this 10th day of May, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

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